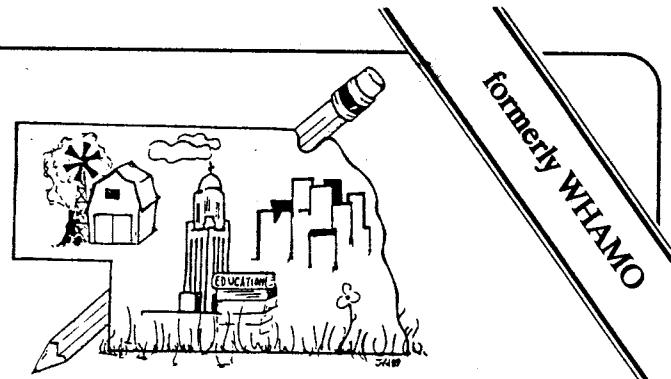


The Nebraska Observer

Vol 5, No. 2 January 31, 1990



Why So Few Women Judges in Nebraska?

by Frances Mendenhall

In the corporate world it is known as the glass ceiling. Women are able to advance to a certain point, but no farther.

Nebraska's female lawyers experience the same thing. Although they comprise 16 percent of the state's attorneys, no woman is now serving as a judge with general jurisdiction. Five have been appointed to county or juvenile court judgeships. There are 136 judges in the state.

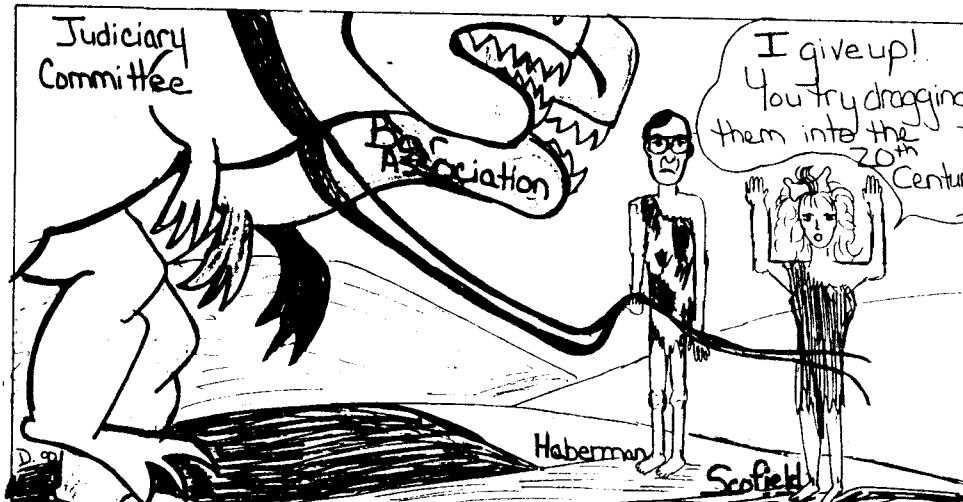
More is at stake than justice to the handful of qualified women who have been passed by; what is feared is loss of confidence in the system. Women, and men, willingly submit their lives, their families, and their fortunes to judicial decisions. As the minority report from the Bar Association stated it, "If the judiciary actually becomes a haven for some to the systematic exclusion of others or even if it only appears to become such a haven, irreparable damage will result." (NSBA Judicial Nominating Commission Committee Report).

The Nebraska State Bar Association acknowledges the problem, but thinks it will take care of itself in time as more women gain the experience needed for the position. Ed Perry, who chaired the Bar Association's Judicial Nominating Commission Committee, an ad hoc committee which published its report late last year, said, "The problem lies not so much with selection process as with society in general." According to Josephine Potuto, Richard H. Larson Professor of Constitutional Law at the University of Nebraska at College of Law, proposals by the Bar Association "either knit at the periphery, or set in stone the worst parts of the system."

Three bills have been offered in the current session of the Unicameral to address various aspects of the problem. One bill by Senator Scofield, LB 1058, has been killed by the Judiciary Committee. Voting to kill: Abboud, Chizek, Kristensen, Lindsay, Nelson, and Pirsch. Present and not voting, Chambers and McFarland.

The Selection Process

Here is how judges are now selected in Nebraska. In each judicial district a nominating committee fills vacancies. This committee is comprised of four attorneys, and four lay people, appointed by the governor, but with political parties balanced. A ninth member of each committee, who is a Supreme Court judge, has no vote. His (there



have been no "her's yet) role is to assure consistency and fairness. The committees send nominations of at least two people qualified to be judges to the governor. They operate according to provisions of the Nebraska constitution. The governor must select the appointee from among the nominees; she cannot return a list she doesn't like. If she fails to do this, the Chief Justice of the Supreme Court must fill the vacancy from the nominations.

Problems

Because the committees are so numerous, 53, it is impossible to hold any of them to consistent standards. Although the committee member from the state Supreme Court could function this way, in reality this doesn't happen because the constitution doesn't spell out the Supreme Court judge's role. As a result, even though there continues to be a pattern of failure to appoint women single committee can be seen as responsible, and no Supreme Court member is position to change the pattern.

Public disclosure of votes by the commissions is a solution often suggested. The committee of the Nebraska State Bar Association appointed to make recommendations about the merit plan in the context of the complaints being raised, published both its majority and minority reports. As expected, the majority report recommended against making individual votes of the nominating commissions public.

One of the minority opinions, however, made an eloquent argument for disclosing the votes:

"When there is no system of appeal of a nominating commission's decisions, no right of redress, and no opportunity for reconsideration, the integrity of the process is vital.

knew they would have to publicly make recommendations against friends or acquaintances.

Standard criteria for selecting nominees are supposed to be applied. But, Potuto said, there can still be game playing.

An example that many people still remember was a vacancy last year in the court of Lancaster County. Eighteen names were submitted, 13 men and five women. One criterion that was supposed to be applied was "experience." Four of the women were county attorneys or public defenders with substantial trial experience. The business of the county courts is more than 90 percent criminal and traffic.

But in the end the three names that were submitted were all men. When the list came out a lot of Lancaster county attorneys were very surprised. A couple of the committee members were asked what happened, the response was that the committee had decided that an additional criterion would

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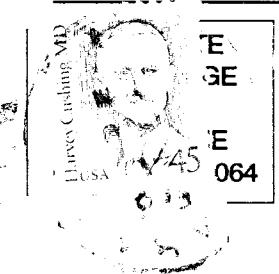
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Why We're Not Printing THE NAMES (Yet)

by Frances Mendenhall

It's the favorite news story, by three to one odds at least. Those rich and/or powerful people implicated in child sex abuse by the three witness-victims who testified on tape for the Legislature's special committee investigating the Franklin Credit Union. I probably get asked five times a day when we are going to print the names.

Late January, former state Sen. John DeCamp issued a memo addressed to the World-Herald's Bob Dorr, but taking all media folks to task for covering up the story. DeCamp is correct; you would have to be newly arrived from another planet not to have heard the names of the people who have been implicated by the young witnesses. DeCamp has also left no doubt about his willingness to be the first one to go public with that information; in his interview on KKAR with Steve Brown January 25, he apparently did say the names, but KKAR, having taped the interview in advanced, bleeped them out. A few days earlier, we are told, he was interviewed for a program for KETV and named the names, but the editors there decided against using that part of the interview.

Then, on January 27, Denny Henson mailed out copies of that memo to 21,000 voters in District 4, where he will likely try to succeed Gary Hannibal in the Legislature.

So the secret definitely isn't any more.

That is the thing to remember here. Sooner or later the information everyone is waiting for will be revealed in such a way that it becomes "official." It has occurred to me that this could happen in a protected way on the floor of the Legislature, but time will tell.

Meanwhile, sorry folks, but we aren't doing it first. Denny Henson may be willing to go for the glory in an election year. And no one would think me unkind to suspect that a person as complicated as John DeCamp might have more than one motive for

jumping on stage. DeCamp is not willing to say what makes him so convinced that he has access to verifiable facts here--he does not even admit to having seen the tapes. All he is saying is that he believes the witnesses and that truth is a defense.

Don't we at the Observer believe the witnesses? Absolutely. And we have continued to write about the story whether it was widely believed or not. But kamikaze pilots we are not, my friends. No one has yet been indicted. Truth may be the best defense in a libel suit, but the burden of proof is on the accuser. In this country you are still innocent until proven guilty, especially if your name is _____, _____, _____, or _____.

Slower Is History

Norris Alfred, the recently retired writer-editor-publisher of the Polk Progress, says he killed the Progress, but not his desire to write. We were glad about that and talked him into sharing his insights with us. The first of his columns is on page 4. We hope you like alliteration in headlines, Mr. Alfred!

Alfred, no ordinary retiree, was asked by the Grand Island Independent, who is also running his column, to please get used to using a laptop computer and--get this techies--uploading his articles from Polk. No dummies out there in G.I.; they don't like retyping stories either.

The request, however, seems somehow like asking Grandma Moses to resolve the debt crisis. Alfred, you recall, has spent his career typing everything on what has to be a very old machine, and printing his home-grown newspaper on his own linotype. What was the old bird watcher and country commentator to do? When we talked last, he was doing a marvelous job of adjusting his attitude. I have a feeling we'll be getting Norris on-line here soon, and more power to him.

But Is It Art?

Kearney sculptor Nik Ratzlaff and his colleagues from the Artel correctly observed that this paper needs more coverage of the arts.

John Boyd, the former editor of the Metropolitan, who now operates his own shop under the moniker "Boldface Publishing," thinks so too. John offered us some starters, events calendars which are on pages 10 and 11, and a major breaking news piece about hooligan energy put to the service of mind expansion. John has done much good work in the cause we think so important, getting stories in print that the mainstream media ignore. We hope we can talk him into working with us some more.

Speaking of John Boyd, you may have noticed that we ran a couple of ads this time, for his businesses. Some people may have gotten the idea that running ads was against

our religion. This is absolutely not true. We would love to get rich doing the work that we love (is that asking too much?). The only criteria are that the ad has to be for something that isn't against our religion, and of course we need compensation for running it. So, feel free to use our pages to reach that special targeted population group that no other media courts.

A Wire Service For the Rest of Us

And speaking of going on line, take a look at the story on page 12. Its source is a wire service that we like called Insight. They run our kind of stories and get them to outfits such as ours in whatever way that works. You can get them to mail hard copy or a disk, or you can log on to their bulletin board and download files. We also have enjoyed uploading some of our stories that we thought folks outside Nebraska would enjoy, so think about that if you have thought of writing for the Observer, but thought our readers were limited to Nebraskans! (Actually, we mail to people all over the world, if you count all my relatives including my nephew who is a Peace Corps volunteer in the Central Africa Republic.) Wally Peterson, UNL professor who brings a peoples' perspective to economics, was interested in getting his column on Insight's network. Wonderful things are possible in the global village.

Observer Deadlines

The next issue of the Nebraska Observer will come out February 28. We must receive your story ideas by February 13. Copy is due February 20. Story ideas for the April issue are due March 13. Copy is due March 20.

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The Nebraska Observer is distributed monthly by the Nebraska Citizen Publishing Group, a non-profit corporation.

Letters and manuscripts may be submitted to:

P.O. Box 31383, Omaha, NE 68131

They should include the author's phone number and address. Works may be published under a pseudonym at the discretion of the editor.

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Want Faster Justice? Get an Appellate Court

by Richard Shugrue

I had to see for myself.

I picked up a volume of the Nebraska Reports and started jotting down the time lag between the committing of a crime or the arrest of a suspect and the Nebraska Supreme Court's decision on the case.

For this batch of criminal cases, it was a little less than two years. Not bad.

But criminal cases get "advanced"; that is, they're shoved to the head of the line, so to speak, once the trial is over and the appeal has begun. But so are nine other kinds of cases, including matters from the State Board of Equalization and the Department of Water Resources, child custody cases and workers' compensation suits.

That means, of course, that the run-of-the-mill wrongful death, breach of contract or medical malpractice suit sinks to the bottom of the pile.

The Legislature, in its wisdom, has specifically declared that the state's highest court must advance certain cases. It has also declared that the Supreme Court must write an opinion in many kinds of cases. Delay has become a certainty in today's legal system.

There are all kinds of ways to calculate delay or congestion. If you looked at an "advanced" suit from the time it was filed in the Supreme Court until the time it was argued, the delay is nine to 10 months.

Non-advanced cases take more than twice as long: 21 months from filing to argument. Those familiar with the system recognize immediately that these numbers deal only with the progression in the high court. They don't reflect the obstacle course over which the ordinary law suit must leap on its way through the trial court.

Too Heavy a Workload

Virtually every judge who has gone onto

the Supreme Court has stated candidly that he (for all the Court's judges have been males) thought that he could whip the others into shape and, by a frenzy of hard work, they would lick the backlog.

But each newcomer discovered to his horror that it was not to be so.

The junior judges had to swallow their words about the court being populated by slowpokes, in the first place. And in the second, cases never stopped coming.

Part of the reason is that we are a litigious society. Naturally, a lawsuit is a better way to settle an argument than pistols at 10 paces. Equally important is that lawmakers seem to think that election to the Unicameral is licence to bury Nebraskans under hundreds upon hundreds of new laws before they return to plowing, selling insurance, plumbing or what-have-you.

These Solons have provided us with a dozen thick tomes chock-full of all sorts of duties, rights, processes and obstacles. What would you expect, given more than a thousand bills flooding every biennium?

Lawsuits? In just one little niche of daily life, Nebraskans get some 6,300 divorces each year. Every divorce is a lawsuit. Despite the "abuse of discretion" standard, by which the Supreme Court will only rule on the tiny minority of matters where the trial court has gone beyond the bonds of the broad discretion placed there, dozens of these end up in the high court.

The workload of the court reflects our political and social planning goals. For example, society wanted the judicial system to "get tough" with people involved with drugs. Where once a prosecutor would settle for coping the plea to a misdemeanor charge, today a county attorney wants a felony conviction. There's a trial instead of a plea bargain, a demand for jail time and, inevita-

bly, an appeal.

Discretionary Jurisdiction

The Supreme Court of the United States and many state appellate courts have what is known as "certiorari" jurisdiction. What that means in a nutshell is that the highest court may exercise discretion as to what cases to hear.

All other cases are considered final when an intermediate appellate court has resolved them.

The highest court serves the function of deciding broad questions of policy.

Translated to state experience, the top court would still be the ultimate tribunal for constitutional disputes. The middle tier tribunal can serve as overseer of the trial court's work, correcting errors of law and abuses of discretion: a sentence was not excessive, the alimony was not too high, the damages were a reflection of the evidence.

The Supreme Court would still hear and decide capital cases and -- if Sen. Ernie Chambers has his way -- all homicide and other felony matters, and cases from the Commission on Industrial Relations.

The Legislature has important judicial matters before it this term in addition to the intermediate appellate court question. Whether to add two additional district judges, presumably for Omaha, is one of the issues. Whether to give Douglas County another juvenile judge is another.

Legislators are canny enough to understand that the creation of any judgeship is volatile and expensive. Adding three jurists plus asking the voters to create an appellate court -- and give up the right to take all cases to the Supreme Court -- might be too much politically.

There are judges in greater Nebraska who aren't very busy. State senators look at

these and scratch their heads. One said, "I know what all you lawyers want, but you can't have everything."

Some Unicameral watchers are betting that the Supreme Court would pull back on support for the additional Douglas County judges so as not to jeopardize the appeals court issue. The appellate court is that important to the Supremes. And it is important to the district judges for a reason other than cutting the high court's backlog.

The Best Solution

Some pundits reason that district judges would be willing to delay creation of additional lines just to shorten the life of the current appellate division. This stopgap measure works only because district judges can be pulled out of trial service to sit on appeals panels.

This conscription is not popular with local judges who view it as pushing ever greater numbers of trials back on their own respective calendars.

When Norman Krivosha was Nebraska Chief Justice, he reported to the State Bar Association's House of Delegates -- the lawyers' governing body -- that a study had been made of the ways by which the backlog in the Supreme Court could be solved.

Every method -- from adding judges, to sitting in division, to conferring certiorari jurisdiction -- had been studied, held upside down, and peered into. At the time, the only solution that seemed to hold real promise was an appellate court-certiorari combination.

Now the time has come for Nebraskans to decide whether they believe in the old axiom, "Justice delayed is justice denied." For if they do, they should be prepared to vote for a constitutional amendment to create an intermediate appellate court.

Little Hope for Bills Supporting Women Judges

Continued from page 1

be used, civil experience, which stacked the deck against the women. The governor refused to appoint from the list. It went to the Chief Justice.

Conflicts of interest are not uncommon, said Potuto. Fathers have been known to sit when sons' names are considered, partners when partners are up.

What the Bar Has Done

In 1980 Sen. Vard Johnson attempted to amend the statute so that every qualified applicant would be forwarded, not just the best qualified. The Bar opposed the amendment, and induced the introducer of the bill to withdraw that aspect of the bill on the promise of the Bar Association to "take a hard look at the overall problem in the

interim and come back...with their thoughts and comments" (quote taken from Floor Debate on LB 730, March 3, 1980, cited in the minority opinion of the 1989 Report of the NSBA's Judicial Nominating Committee). According to Potuto, that promise was not kept.

In 1986 a woman lawyer in Ogallala wrote Chief Justice Norman Krivosha to complain about the operation of a nominating commission in her district. One of the problems she raised was conflict of interests (a partner forwarding a partner). The Chief Justice asked the Nebraska State Bar Association to look into it. A three-person committee was appointed, but it failed to arrive at consensus and never filed a report.

Last year the NSBA appointed a committee to look into nominating commis-

sions. Fifteen persons were appointed. The committee drew no conclusions regarding whether all qualified candidates should be forwarded to the governor, or just those "sufficiently qualified." It also recommended taking care of conflicts of interest internally, and that commissions interview candidates and take more time. (They now have as little as seven days to do this. Supreme Court Justice Hastings, in testimony in the Legislature, has described how long was needed for the process in terms of weeks.)

According to Potuto, if the merit system is to be retained all qualified applicants should be forwarded. There should be fewer commissions. Lawyers should not serve in their own districts.

The governor should be able to return a list. And, there should be an external proc-

ess for resolving conflicts of interest. She regards the Bar Association proposals as greatly inadequate.

One bill recently considered in the Legislature, LB 1058, by Sen. Sandra Scofield, would provide for recourse when a conflict of interest was identified. That bill was opposed by the Bar. It was killed in committee.

Another bill, also opposed by the Bar, is LB 878 by Sen. Rex Haberman. It would require public disclosure of votes by the committees. It is still in committee.

A third bill, LB 921, is the Bar Association's bill. It has advanced to General File.

According to Sen. Rex Haberman, no judicial nomination bill is likely to go far this session, since none is likely to be named as any senator's "priority bill," and few not so named will get through a 60-day session.

Polk Progress Pontificator Ponders Preserving Posteriors for Posterity

Polk Editor Anticipates Xing and Evolving

by Norris Alfred

At the suggestion of others, who are helping write it, an attempt is being made to write a book about weekly newspapering in Nebraska, focusing on the ex-Polk Progress and its ex-editor/publisher. To be an ex-means X, which means "crossed out." One idea is to head each chapter with a quote from Polk Progress editorials and columns. This idea may be Xed also. Much Xing is done when writing a book. The damn thing evolves, takes form, gains substance, creates its own reality. A book has a mix of past, present, future. From conception to completion could take years and this one probably will. It may never be completed. It's a project that inspires cussing and discussing and keeps me on the edge.

The quote I used to head a chapter I'm responsible for comes from the Vietnam War editorials written in protesting it. That damnable war inspired an eloquence I will not capture again, though I may have regained some of it when I read what Lars-Erik Nelson, columnist and reporter for the New York Daily News, quoted from the

Progress in describing the weekly effort to his readers:

"Here is Alfred....On the notion of invading Panama or toppling the Sandinistas: 'We have no God-given or even legal self-given right to overthrow governments of other nations because we don't like those doing the governing. The only right we exercise is the right of power. In Central America, the United States' actions have no more moral base than that of Nazis or Russians in Poland."

The quote from the Vietnam War protest condemned the constant bombing strategy. "What is important is life's continuation. There must be a link. Children to parents to grandparents to great grandparents and back, back, back. When a bomb ends the chain, it is not only a crime of the present, but of the past and the future." From a Progress editorial, "Reliance On Military Solutions Is A Mistake," July 27, 1972.

For a time I was considered an unpatriotic s.o.b. but that has faded. I think it was

during those years that I was asked to put something in the paper condemning those who wouldn't get out of those cars at the football field and stand at attention while the band was playing the national anthem before the start of the game.

The person who wanted me to write something critical said he got out of his car and stood at attention, while the fellow parked next to him didn't. He said he had told the lazy bum he should get out of his car and stand. The object of his scorn replied, "I feel just as patriotic sitting." Actually, I think the sitter had the right of it. I base my judgment on the theory that the peak of the evolutionary process for the human species has been gained by sitting.

We went from getting around on all fours, to standing upright on our two hind legs to sitting and discovered the most comfortable position in which to live is the last one. Sitting is human evolution at its greatest achievement.

What evolved with sitting was bigger-is-better human buttocks. Some of them

are of tremendous circumference. More than once I have been tempted to take photos of posteriors encased in tight jeans or work pants, recording them for posterity.

The development is not only evolutionary, it is historic. Sitting is a peaceful position. The only warlike aspects to sitting are statues of generals and admirals sitting on horses. In these statues the horse is more the warrior than the general or admiral. The horse is reared on its hind legs, breathing fire and brimstone while the general or admiral peacefully sits there.

It's a matter of taste whether big buttocks contribute to female exotic dances or detract. The bigger the buttocks the bigger the wiggle. A wee wiggle may seem more inspiring than the earthquake shake of big buttocks. We read in the Lincoln Star where a city attorney was helping the city council write an ordinance on exotic dancing. In the course of the confab the city attorney said he didn't think it rational to write an ordinance permitting only one wiggle per drum beat.

Somehow or other, I lost sight of patriotism, while writing this column.

Nuke Waste Legislation

by Frances Mendenhall

With two important exceptions, most of the legislation relating to nuclear waste being introduced in the Legislature this session will be considered first by the Natural Resources Committee in hearings Feb. 14 and Feb. 15.

Two other bills, relating to liability, statutes of limitations, and burden of proof (rebuttable presumption), will be considered by the Judiciary Committee. At deadline, those hearings had not been scheduled.

Sens. McFarland and Morrissey have compact is amended in each of the other four states to guarantee long-term liability by all generators depositing hazardous and nuclear waste in the dump.

Other important issues to be addressed in the Feb. 14 and 15 hearings include preventing felons from getting dump licenses and other criteria for licensure, enhancing the roles of local monitoring committees, undoing the provision that has the state accepting ownership of the waste, increased developer responsibility for emergencies, and extended liability for generators.

A bill by Sen. Schmit, LB 1238, includes several provisions which weaken the role of the local monitoring committees. The bill would prohibit reimbursement for any legal expenses, court costs, or court reporting fees. Another part of the bill provides that licensing decisions may be appealed to the State Supreme Court. This provision misleads, according to dump critic Lynn Moorer, because the Supreme Court, which doesn't accept new evidence, would lack evidence upon which to rule, there being none from any previous trial or hearing. "It is questionable how an appeal to the Supreme Court could go to the heart of the issue," said Moorer. If the monitoring committees cannot pay for court reporters, a large body of evidence will not be available.

Also included in the bill is a provision that Nebraska will suspend any dump license it has given on Jan. 1, 1993, if it turns out that fewer than two other states have been given a license. Schmit earlier this month made headlines when he expressed his belief that Nebraska was among very few other states that would actually wind up as sites.

Before Unicameral

Schmit had complained at the time that Nebraska might wind up being one of only about three dumps nationally; his bill, however, would allow Nebraska to remain as one among as few as three national sites.

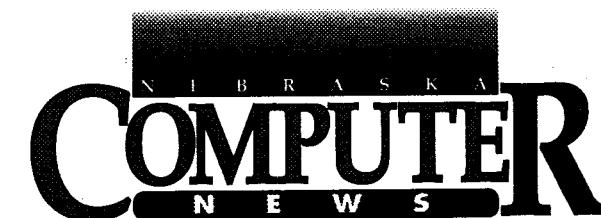
These bills are being considered: LB

1025, LB 1138, LB 1145, LB 1150, LB 1151, LB 1164, LB 1232, LB 1237, and LB 1238.

A list of each bill and its provision is available from the Observer. Send a stamped envelope. Or call 1-800-742-7456, the Legislative hot line.

New Compact Commissioner?

Confirmation Hearing for Norm Thorson as Compact Commissioner.
Feb. 7, 1:30, Natural Resources Committee, Room 1517.



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How the Church Tried to Silence a Questioner

by Marjorie Farmer

The author believes that Catholic laypeople should protest treatment of people of conscience by the Church's hierarchy, as well as the Catholic press' failure to cover the event. "By remaining silent, we condone the actions taken by the Archdiocesan hierarchy," she said. "We are the Church."

Marylyn Felion, a 52-year-old former school teacher, is in jail. She was prosecuted by the Omaha Catholic Archdiocese and is serving a 75-day sentence. Her crime was the Kairos action of Aug. 28 during which she sat in the Chancery Office along with Kevin McGuire, who has already served a 30-day sentence for the same reason.

After the Aug. 28 visit to the Chancery Office and arrest, Marylyn wrote the Archbishop to clarify that the action was not directed toward him personally, but toward Archdiocesan support of the arms race and US policy in Central America. She again requested an opportunity to discuss the issues of nuclear and conventional weaponry as they affect both the poor and, indeed, all the faithful in trying to live Christian lives.

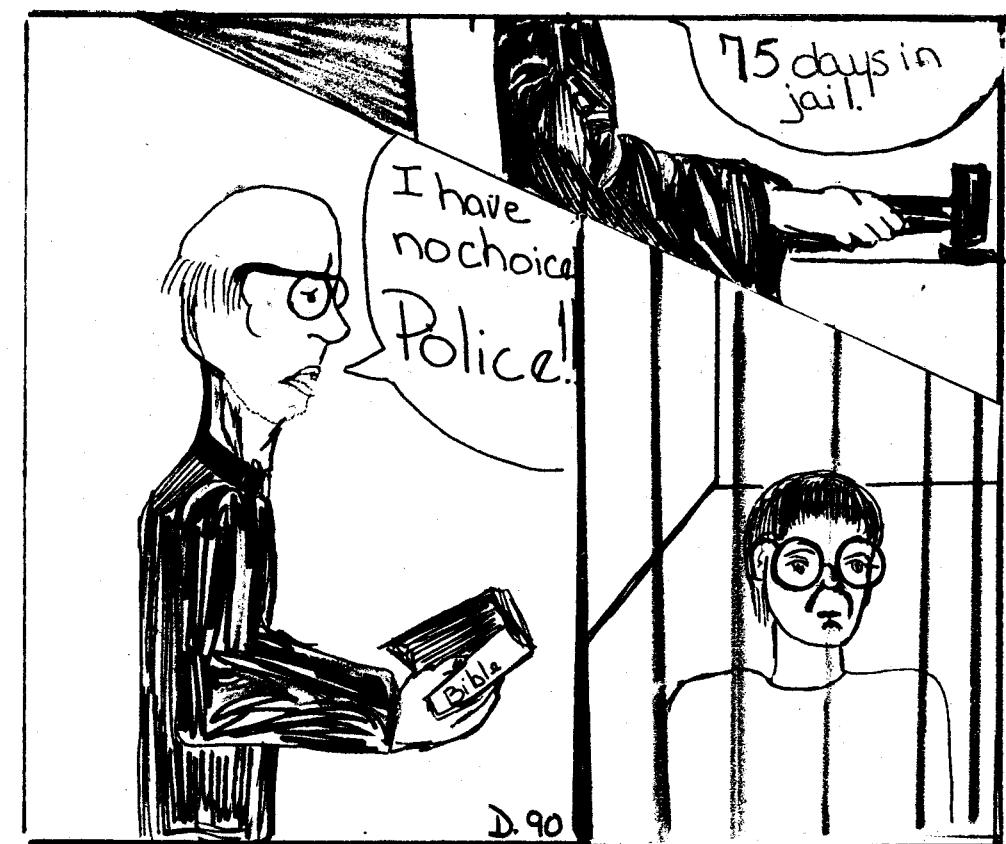
It was also suggested that the Chancery drop the "criminal trespass" charges against Marylyn, and it was pointed out that, unless all available options -- dropping of charges, dialogue, or giving the serious attention due to these issues -- the Church chose the most vindictive course possible in seeking arrest,

prosecution and imprisonment of Marylyn.

Is this a fitting role for the church -- to act as prosecutor in punishing and silencing the challenging voice of a faithful daughter? Punishing the challenger does not solve the problems produced by those unjust policies which she was addressing -- the tremendous suffering both here and abroad; huge moral dilemmas for the faithful of the Archdiocese who must participate in them by working and paying taxes which support those policies.

When the Church acted as a prosecuting witness against Marylyn and went so far as to protect the faithful and public by throttling any news of this unprecedented prosecution, it acted more in the spirit of totalitarianism than in the spirit of Vatican II. Did the Catholic Voice publish any information regarding the Aug. 28 Kairos action, subsequent trials, the 30-day sentence of Kevin McGuire and the outrageous 75-day sentence for Marylyn? Is the Catholic Voice, which claims to be a newspaper, just a public-relations sheet for the Archdiocese?

Judge Ashford told Marylyn that, although she is a woman of strong convictions, he could not condone her acting upon them. It seems that the Archdiocesan hierarchy also wants Catholics to keep their morals to themselves, and not upset the business of the Chancery office by bringing up critical life-and-death issues facing us in



the larger society.

Contacted by the Observer, Archbishop Daniel Sheehan said that he had not received the above document. When it was read to him, he commented that "the reason for her arrest was trespassing. There was no

way we could leave her in the building overnight. We were not going to leave this building unlocked overnight. She could have left any time she wanted to. Not prosecuting was not a choice. The police would not remove her unless we prosecuted."

What's So Bad About Having a Political Clergy?

by Colman McCarthy

When picking a new police chief for New York City, new mayor David Dinkins rejected the advice of Gov. Mario Cuomo and John Cardinal O'Connor. The governor and the prelate wanted one man, Dinkins picked another.

With or without reverence -- I favor without -- it needs to be asked: What is O'Connor doing advising a politician?

He's being a citizen is one answer, a sound and defensible position. Another answer is that O'Connor was disobeying his spiritual leader, Pope John Paul II, who issued orders nearly a decade ago for priests to get out -- and stay out -- of politics.

What will it be: fidelity to citizenship or obedience to Rome?

As a Catholic, I'm happy as an altar boy -- or altar girl -- swinging incense at High Mass that O'Connor tries to broker his power in New York politics. Praise God that Dinkins stood up to him on the police chief issue. Voters in San Diego acted similarly when their bishop, Leo Maher, attempted to throw around his political weight in a state election. The bishop, citing canon 915 of the

code of Canon Law, ruled that Lucy Killea, a candidate for the California Senate, was barred from communion because her political views on abortion were not the moral views of her church. Canon 915 rules that believers who "obstinately persevere in manifest serious sin" are to be turned away at communion time. San Diegans turned away Maher at voting time by electing Killea.

On both coasts, O'Connor and Maher took their stances. Then their lumps. But public policy is richer for their willingness to mix it up. The church would be anemic without regular transfusions of red-blooded politics from bishops, nuns and priests, as the state would be also if the clergy pondered only the next world, not this one.

Holy disobedience of the Vatican flourishes in the United States. One of the early victims of the Pope's no-politics rule was Robert Drinan, the Boston Jesuit priest who served in the House from 1971 to 1981. Rising like Lazarus, Drinan, currently a law professor at Georgetown University, has returned to political life as the founder and chairman of PeacePAC. Its purpose is "to help my friends in the U.S. House of Repre-

sentatives work for peace." Drinan's PeacePAC will support candidates looking for "new ways to achieve disarmament." Ducking a possible missile from the Vatican, Drinan states that his political-action committee is only putting into practice the principles for promoting peace put forth by the Catholic bishops in 1983.

The second coming of Drinan into politics represents a sophistication not usually found in Catholic clergy. On the politics of AIDS and abortion, many are ham-handed. O'Connor of New York has announced, simplistically, that he and the church have discovered what science has not, the solution to AIDS: "Morality is good medicine." That's on a level with Ronald Reagan's view that America's problems will be solved when more people read the Bible.

When Archbishop Roger Mahony of Los Angeles appeared on "Nightline" to condemn the use of condoms as a means of preventing AIDS he was making a political statement that he couldn't help but know would be taken as inflammatory by gay political activists. Was the uproar that followed worth it? On abortion, Mahony wrote

to California state legislators last June that all Catholic politicians "have a positive moral obligation to work for the repeal of pro-choice legislation... There is no other legitimate position. There is no such thing as a Catholic pro-choice public official."

There are, of course, plenty of them. Father Robert Drinan was one while in Congress. No one doubted in 1981 that the priest's political views on abortion stirred the Vatican to retaliation. If Mahony wants to be credible -- by being consistent -- then he ought to follow through by excommunicating all pro-choice Catholic politicians, all Catholics who work for them or vote or give money to them. Should that happen, the pews of Protestant churches will be packed with ex-Catholics. Is that what the archbishop wants?

The O'Connors and Mahonyms have no training in politics. As stakes rise, it shows. Unless they and their brothers -- no sisters yet -- acquire some political skills, their moral voices aren't likely to persuade anyone outside the church doors. That's where the debate is.

Lexington's Future Arrivals to Bring Challenges

by Frances Mendenhall

Next September IBP will open a beef packing plant in Lexington, pop. 6818, ultimately creating 1400 new jobs. It will move into the Sperry New-Holland plant, which used to make farm implements. "We expect to spend more than \$75 million converting the plant," said Gary Mickelson of IBP. "We have committed about half of that already." It is unknown how much has been spent to date.

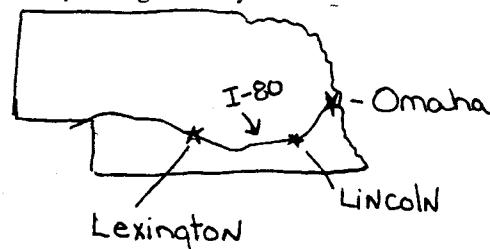
IBP has applied for tax credits under LB 775. But Economic Research Associates (ERA), a Lincoln firm which, under contract with Sen. Wesely and Korshoj, produced the study of the effects of the legislation, "Economic Development Incentives: The Nebraska Experience," believes that the tax breaks had no effect on IBP's decision to locate in Nebraska, that the company had long been planning to locate in western Nebraska, and had chosen Lexington because of the existence of the Sperry New-Holland plant. Regardless, IBP will enjoy tax credits for its investment and the creation of the jobs, as well as sales tax credits. ERA estimates that they will amount to \$12 to \$17 million initially, and eventually may reach the \$20 to \$25 million range if they reach their targeted payroll of 1400. This, according to ERA estimates, will result in an annual abatement of about \$1,000,000 a year, spread out over the 15 years that are allowed, or a cost to the taxpayers of about \$10,700 per job created.

The kind of plant being built at Lexington is typical of the trend in the eighties to streamline the beef packing industry. Increased competition and concentration, led by IBP and quickly followed by ConAgra and ~~Excel~~, have brought about plant closings and relocations, and decreases in the numbers of workers and their wages. Omahans remember when plants were located in their city; now it is more advantageous for them to be located near feedlots than in cities.

Lexington has hopes that the plant will be an asset to their community. Tim Keelan, whose firm Hanna:Keelan Associates of Lincoln, did a housing market study last summer for Dawson County, believes that the cattle industry in the Platte Valley is thriving, and that an IBP plant there will bring about expansion there of the cattle industry, to the benefit of the area.

Lexington is working hard to prepare for the changes it faces. A group of citizens, headed by A.O. Ernst, pastor of Lexington's First United Methodist Church, formed the Community Impact Study Team, CIST. A year ago, Ernst visited Garden City, Kan., a community in the southwest part of the state which had also been the site of a plant location by IBP in 1980. Garden City found itself experiencing the fastest growth in Kansas in the eighties. Ernst visited with members

of a team of six investigators who had done a two year study on the impact on Garden City, and invited them to come to Lexington, which they did, the following April. One of the people from the Garden City team, Don Stull, an anthropologist from the University of Kansas, wrote a letter about his observations to his Lexington counterparts (see box). Stull and his colleagues had written a study funded by the Ford Foundation of six cities affected by the meat packing industry. Stull's letter points up some stark changes, but he points out that not all the changes are negative. Also, some of the changes are attributable to simple population increase and cannot be blamed on the meatpacking industry.



Lexington recently made headlines as local citizens presented their city council with a remonstrance petition to prevent the city from selling a parcel of land to a developer from Sioux Falls. The developer was planning to build 40 units of low-cost housing. The petitioners successfully stopped the sale of land and as of now, there are no other plans on the horizon to build new apartments.

How prepared is Lexington for next fall's newcomers? What sort of people are likely to come?

Bill Podraza, City Manager, is cautiously optimistic. Podraza points out that \$6 an hour is not considered low for many in Lexington and that the cost of living is lower than in a larger city. "An apartment that might go for \$400 in Omaha, would rent for \$285 here," he said.

The housing study commissioned to determine the feasibility and appropriateness of developing additional residential housing in Dawson County predicted that 280 workers, of next fall's predicted first wave of 800, will come from outside the Platte Valley area. The figures are based on IBP's estimates, which forecast the average household size of the laborers to be 1.9 persons, with a median income of \$16 to \$23 thousand per year.

Based on those assumptions, Keelan believes that Lexington will need 200 additional housing units by next fall.

Podraza hopes that most of the new housing will be apartments rather than mobile homes. Property tax revenues will be needed to support the schools, and mobile homes are not taxed as real estate.

Don Stull is less optimistic than some Lexingtonians. "Certainly some people will

be hired locally. But the people who come in are going to want to be close to the plant. Increasingly, they are women, often single mothers. They are not going to want to be far away from their children. People will lose licenses because of DWI's, some will want to walk to the plant. Garden City wound up with a 530 unit trailer court on the opposite side of town." If Lexington's experience is like that of Garden City, they will find that they need much more than 200 additional housing units.

Stull also predicts that turnover will be a problem. When the plant first started up, turnover was as high as 60 percent per month; after it had stabilized it was still around 7 percent per month, or 84 percent per year. But the Hanna study predicts no appreciable change in the rate of County unemployment, estimating the 1992 unemployment rate at 4.5 percent, slightly lower than the known 1988 rate of 4.9 percent, and Keelan estimates that Lexington's population by 1995 will be 8,193, an increase from the present by just under the number of people added to work in the plant.

Amy Richardson of the Dawson County office of the Nebraska Department of Social Services is aware of the predictions about problems caused by high turnover. Still, she is hopeful that Lexington will have advantages that Garden City did not. In the first place, the plant is supposed to be state of the art, so it is possible that fewer people will have bad experiences and there will be less turnover. In the second place, if the town can be prepared to give the newcomers a good enough welcome, perhaps they will stay on the job longer.

Nonetheless, IBP has already hired 250 construction workers, and Richardson admits that there are problems. "It is becoming more and more difficult to find housing," she said. "You can only rip up your want ads so many times." However, she knows of no homeless in the community yet.

Richardson and others are preparing by hiring more professionals various areas. They have added one Income Maintenance worker, and plan to seek another Protective Services worker, for child abuse and neglect. Some in her staff are taking Spanish, and are involved in cultural awareness training. Last summer Lexington increased its police force from nine to 11, and bought a new fire truck and ambulance.

Richardson is not worried about increasing ADC payments, because that comes from state and federal budgets. But county funds pay for General Assistance for such things as rent deposits, utilities, and help with transportation. But a recent bond election failed to get enough votes to finance a new high school, a decision some feel the community will come to regret.

Meat packing has the highest injury

rate of any kind of work with about one-third of its workers being injured each year. IBP was fined a total of \$5.6 million, an industry record, for covering up the extent of injuries in their plant and for failing to install adequate safety precautions to minimize the danger of cumulative motion trauma. They negotiated the fine down to \$975,000, committing to a new program in "ergonomics," including employee training and various types of equipment projects. IBP was also sued by the U.S. Labor Department for overtime violations in plants in Kansas, Nebraska, Minnesota, Iowa, and Idaho. The Labor Department stated that IBP repeatedly and willfully violated Federal laws for overtime pay.

IBP will be paying wages of \$6 to \$10 an hour, with health insurance after six months, according to company spokesperson Gary Mickelson. Pastor A.O. Ernst, Pastor of Lexington's First United Methodist Church and a member of the CIST team, acknowledges that the type of work is not what "you and I would want to do." Ernst anticipates that there will be Hispanic seeking jobs, in the face of the damage done by recent frosts to the citrus industry in the South. IBP isn't commenting about the ethnic origins of future workers. In other locations IBP has recruited Southeast Asian refugees as replacement workers during strikes, as well as other groups of workers. Service providers interviewed for a study by Kathleen Stanley, "The Role of Immigrant and Refugee Labor in the Restructuring of the Midwestern Meatpacking Industry," mentioned "the need to find immediate, full-time employment for their clients in order to comply with the guidelines of their federal funding. Since in the Midwest, meatpacking jobs are plentiful (because of high turnover) and open to non-English speaking workers, they must often encourage their clients to apply for these jobs, even when service providers have reservations, which many do, about the working conditions in meatpacking plants."

Stanley's study also mentions other significant hiring patterns. "Other federal programs also encourage the meatpackers to hire certain categories of workers. According to one state employment official in Kansas, the meatpacking firms make "extensive" use of two employment programs which result in substantial subsidies to the industry (however much they may also benefit workers). Under the Job Training Partnership Act, federal funds will pay half the basic wages for disadvantaged workers during the initial training period. In Southwest Kansas this program is frequently used to help move seasonal agricultural workers, about half of whom are Mexican immigrants, into full-time jobs. The training period at the packing plants is usually stipulated in

Continued on next page

IBP's Arrival In Kansas: A Preview of Lexington?

The following was excerpted from a letter to Lexington's Community Impact Study Team, CIST, by Don Stull, who had recently taken part in a study of the impact on Garden City, Kan., by the 1980 arrival of an IBP beef packing plant in their community. by Don Stull

The projected workforce increase of 1700 when the IBP plant is fully operational is somewhat misleading. Not only can you expect a population influx of three to four times that amount, when taking into account the workers' families, but you also must allow for turnover. During the first two to three years of the Finney County, Kansas IBP plant, monthly turnover reached as high as 60%. At present, with a "stable workforce" the monthly turnover is around 7% (considered to be very low in the meatpacking industry). Based on what has happened in Garden City (and industry patterns in general), Lexington can expect to experience not only a rapid population increase, (perhaps increasing by as much as 100%), but the incoming population will also be highly mobile. Transiency creates its own set of challenges, quite distinct from those created by rapid growth. Garden City continues to experience major problems with population mobility long after its growth has tapered off (e.g., the school system continues to have difficulty in predicting enrollments from year to year; social service and health care providers are continually faced with meeting the needs of newcomers).

Housing Demands

I know that IBP has predicted that many of the newcomers will find housing in outly-

Lexington, IBP and New Challenges

Continued from previous page

the training contract as four to eight weeks though actual training usually takes three days (some workers claim there is no training). Another important program is the Targeted Jobs Tax Credit program designed to help disadvantaged workers escape chronic unemployment. Under this program employers can claim tax credits equal to 40 percent of the first \$6,000 of qualified wages paid to the applicant during the first year on the job.

Reverend Ernst knows that there will be rapid turnover because people cannot stand the rigor. Still, he feels the community is up to the challenges and has a good future. "What we need now is change in our thought. We need to see this as a challenge to help the newcomers rather than a threat. They are coming here looking for exactly what we have, school, jobs, a place to live, food on the table."

ing communities, thus reducing the strain on Lexington to provide the necessary housing. They may be right, but I have my doubts. I know they made the same predictions for Garden City, but that has not been the reality... Newcomers will prefer to live in Lexington, or as near as possible. Hourly workers in packing plants are poor. With wages beginning around \$6.00, even if they work overtime, they will still have trouble making ends meet on only one income. Many of the workers in garden City do not have adequate transportation to commute (many do not have cars, others are driving dilapidated vehicles or have had their licenses suspended). Increasingly, packinghouse jobs are being filled by women, many of whom are single mothers. These women will want to work as close to home as possible in order to manage the demands of childcare, transporting their children to school, and so forth. Finally, packinghouse workers put in long hours at physically and psychologically demanding jobs. At the end of their shift, they want to get home or to bars or shopping centers or other destinations as soon as possible.

I feel that new workers will reside in Lexington. It is worth noting that IBP delayed the startup of a second shift in Finney County until Garden City approved a new trailer court. I suspect that Lexington will also be pressured into expanding its housing capacities to meet demand.

Younger and Poorer

Both the median age of the population and per capita income will decline. Crime rates, alcohol and drug abuse, and demand

for social services will increase dramatically.

As more women enter the workforce, the likelihood of these workers having families increases. Even though the newcomers are in your community to work--and they will contribute to the local economy and tax base--they will also bring greater demands on services. The jobs they will be filling are low-paying, and many newcomers will work only a few days or weeks before quitting or being fired. Such people will come and leave the community with few resources. Crime patterns in Finney County (Garden City is in Finney County) have changed noticeably since 1980, when IBP was under construction. Not only have they increased sharply, but they have shifted from "rural patterns" to "urban patterns" (with a high incidence of assaults, child abuse and neglect, domestic violence, and so forth). Much of the explanation of the increase in crime comes simply from increases in population size and the fact that young adults are more likely to commit crimes than older people. The changes in the type of crime are hard to explain.

Health Care Demands

Meatpacking is the most hazardous industry in America with an annual injury rate of 33.4/100. The associated injuries are both acute (such as knife wounds) as well as chronic (carpal tunnel syndrome and back injuries). Increased demand on health care providers can be expected--and many people will be unable to pay for care since they will not be eligible for insurance until they have

been with IBP for six months. Workers' compensation is a lengthy process, sometimes taking one to two years to resolve--workers will be in need of social and health services during this period and beyond. Problems associated with providing health care to the indigent, prenatal care, and sexually transmitted diseases, have all increased considerably in Garden City.

Late Night Hours

Finally, I think you can reasonably expect Lexington to extend its active life to 18 to 20 hours per day. IBP will run two shifts per day, six days a week, and there will be a "C" shift from roughly midnight till 6 am for cleanup. Workers getting off the B and C shifts will want to hit the bars, thus extending the demand on those businesses both earlier and later than may now be the case. There will also be greater traffic on the streets and more demand for grocery stores and other retail outlets such as convenience stores, to stay open longer. You may wish to consider revising city ordinances, adding more officers to the police force or going to "power shifts," and other changes to accommodate the varying schedules of the new workers.

I do not mean to dwell only on negative aspects of the coming changes, and indeed I do not feel that all the changes will be negative. The points I raised present challenges that your community will have to face. With the level of foresight that the people of Lexington have already demonstrated, I feel certain that you will be able to successfully meet these challenges.

Post LB 775 City Revenue Losses

by Frances Mendenhall

Since LB 775 has gone into effect, there has been a dramatic increase in the amounts of city sales tax refunds in Lincoln and Omaha. Between 1983 and 1986 Lincoln refunded an average of \$14,002 per year. By fiscal year 1988-89 it had risen to \$834,160.

Omaha saw a similar increase. Between 1984 and 1987 the city refunded an average of \$55,643 per year. By 1989 it had risen to \$2,311,247.

The Observer contacted all of Nebraska's municipalities that have had sales tax before 1987 to determine whether the smaller communities have experienced the same thing. Most other communities had no recent memory of any refunds at all. The cities who had given out refunds did not show any significant increase after 1987. It appears that for now most of the money being spent on LB 775 growth projects is in Lincoln and Omaha. Even in Lexington, where IBP has

begun to remodel its future site, we could not document sales tax refunds yet.

Those Elusive New Jobs

It is hard to pin down the effects of the Employment Investment and Growth Act, LB 775. As the law was written, little was required of applicants or of the Revenue Department in the way of reporting facts and figures of the projects qualifying for benefits. As in the past two years, Sen. Don Wesely has introduced a bill to require more extensive reporting. Some of the information that the bill would make public:

The number of jobs created, the total number of employees of the taxpayer when the agreement was signed and the total number of employees on subsequent reporting dates, the expansion of capital investment, the estimated wage levels of jobs created subsequent to signing an agreement, the total number of qualified applicants, the

projected future revenue gains and losses, the sales tax refunds owed to the applicants, the credits outstanding, the amount of credits distributed to shareholders, the value of personal property exempted by class in each county, and such other factors as may be relevant. Keep in mind when reading glowing accounts from the World-Herald about the benefits of LB 775, that they are based on very sketchy information. For example, wage levels of jobs created are estimates based on industry averages, not on real jobs. Numbers of jobs are "jobs promised," not net new jobs. And nowhere does anyone even attempt to report the jobs that would have been there anyway from maintenance projects or, in the case of the IBP plant in Lexington, because the company had chosen Nebraska before LB 775 for other reasons.

LB 1028 is still in the Revenue Committee.

Warning: Your Yard May Be A Health Hazard

by Colleen Aagesen and Mary Fiscus

Mary Fiscus has spearheaded consumer awareness, voluntary posting, and voluntary advance notification of lawn treatments in her Omaha subdivision. Aagesen, a regular contributor to the Observer, is working for lawn care reform in her neighborhood.

Philadelphian Patricia Gergel woke up one morning in 1984 with hives on her arms and legs. Today she still suffers from recurrent rashes from her exposure to three herbicides, among them 2,4-D. In July 1988 a federal jury awarded Gergel \$67,000 in mostly punitive damages on the grounds that the lawn care company with which Gergel had contracted had misrepresented as safe the weed-control and nutrient treatment it had used on her lawn.

A 'Keep off the grass' sign no longer just means steer around a freshly-seeded area of grass. Today it may mean danger.

In July 1986 Michigan letter carrier Karen James was doused with a pesticide from a broken hose on a lawn care truck. She then experienced nausea, vomiting, diarrhea, tingling sensations, weight loss, and lethargy. It took a year and a half for the lawn care company to admit that the truck had contained the insecticide Dursban. A Michigan court awarded James \$1,005,000 in September 1988.

A "Keep off the grass" sign no longer just requests neighbors to steer around a freshly-seeded area of grass. Today "Keep off the grass" may mean danger.

The Risks of Pesticides

According to the National Coalition Against the Misuse of Pesticides (NCAMP), if you have just had your lawn chemically treated, take these precautions: do not walk barefoot on it, do not inhale it, get your children and all the pets inside, take the toys in the house, and close the windows.

"Keep Off the Grass," published in April 1989 by Public Citizen's Congress Watch, indict the United States' billion-dollar lawn care industry and the failure of federal and state governments to regulate it. Author Laura Weiss reports that of the 40 pesticides most commonly used by the commercial lawn care industry, 12 are suspected human carcinogens, 21 can cause other long-term health hazards, and 20 can cause short-term nervous system damage. Pesticides, according to the EPA, include insecticides, rodenticides, fungicides, and herbicides.

"People just don't realize that even the herbicides they put on their lawns are dan-

gerous," said Bellevue resident Elaine Sabin, who with her husband Bob have won national recognition for their natural backyard wildlife habitat.

"If consumers can buy a product in their lawn and garden store, they assume it must be safe," agreed Catherine Karr, toxicologist for NCAMP.

Pretty Lawns, Dead Birds

Karr said that part of the outrage many people like herself feel revolves around the question of necessity. "Lawn care is an aesthetic. You're not growing food so people won't starve," she said. "We try (at NCAMP) to show people that alternatives (to herbicides) do exist that will produce a healthy, pretty lawn."

A teacher-naturalist at Fontenelle Forest Nature Center in Bellevue, Sabin volunteers hundreds of hours yearly teaching others on her own time about lawn care's healthier, more effective alternatives. To any group willing to listen, she outlines via slides and charts both the dangers of pesticides and the advantages of organic alternatives.

Sabin said that every spring as the lawn chemical trucks start to roll, she and other of her bird-loving friends receive phone calls reporting multiple bird deaths.

Wildlife specialists like Diana Conger of Washington, D.C. call bird poisonings in residential areas "lawn care syndrome." Classical pesticide poisoning symptoms, enumerated by toxicologists in a recent Washington Post article titled, "Pretty Lawns May be Lethal For Songbirds," include excessive salivation, grand mal seizures, wild flapping, and screaming, most often followed by death. Ward Stone, New York State's wildlife pathologist, said, "The songbirds act as miners' canaries for us in detecting the build-up of chemicals that may ultimately threaten humans."

Agent Orange and Your Lawn

The potential, if not present, harm to humans is staggering. Even as the lawn care industry touts the safety of its products, the data indicate otherwise. According to a 1982 EPA manual, the herbicide 2,4-D is irritating to the skin, eyes, and mucous membranes and, since it is easily absorbed through the skin or by inhalation, it can cause toxic injury to liver, kidney, muscle, and brain tissues. Acute symptoms of 2,4-D include chest and abdominal pain, vomiting, dizziness, and muscle twitching, tenderness, or stiffness.

Herbicide 2,4-D was one of the components of the defoliant Agent Orange used in Vietnam. Litigation springing from claims of veterans exposed to Agent Orange whose children have birth defects is ongoing.

In a November 1987 Organic Gardening article, Jay Burnett reports that dogs are particularly sensitive to 2,4-D, evidencing

severe toxic reactions in some instances from simply walking across lawns following chemical applications.

(Herbicide 2,4-D is sold under various names and can be purchased over the counter in approximately 1,500 products. A major manufacturer is Dow Chemical Company.)

Chronic Effects of Pesticides

According to an NCAMP factsheet, the fungicide Daconil can be inhaled and absorbed through the skin and can cause respiratory and gastrointestinal problems. NCAMP identifies the insecticide Dursban as a possible irritant to skin, eyes, or throat.

These are just a few of the acute effects of some of the commonly-used lawn care products. Said Karr, "If a chemical has no food use, chronic health data is not even required. And even where there is data, it is often not complete. The EPA has been playing catch-up since 1982. (In 1982 new EPA regulations demanded retesting of pesticides determined to be inadequately tested previously.) Data on the full range of chronic

health effects, which include reproductive problems, birth defects, and cancer, is limited," Karr said.

Potential chronic effects include:

- non-Hodgkin's lymphoma, a type of cancer linked to a Kansas farmer's use of 2,4-D (National Cancer Institute study);
- nervous system damage correlated to use of Dursban (Weiss report);
- cancer correlated to use of Daconil (EPA calls the product a "probable human carcinogen").

The commonly-used insecticide Diazinon was banned in 1988 by the EPA from golf courses and sod farms, largely as a result of multiple bird kills. The ruling was overturned, however, in 1989, by the Fifth Circuit Court of Appeals, saying it did not present an unreasonable risk. (A major manufacturer of Diazinon is Ciba-Geigy.) Public Citizen's Congress Watch cites 700 brant geese which died after feeding on a Diazinon-treated golf course in New York.

According to the National Academy of

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Weeding Out Some Common Lawn Care Myths

1. You can't have a healthy, green lawn without chemicals.

Good lawn care practices will reduce the need of chemicals, according to the IPM approach, encouraged by the Douglas County Extension Office. Licensed landscape contractor Sheila Daar said one of the best-kept secrets in the lawn care industry is that "it's perfectly feasible to maintain a healthy, attractive lawn with little or no use of pesticides."

2. Pesticides are safe if used as directed.

Even if products are used according to label directions, NCAMP said long-term health effects and frequency of exposure are

not taken into account.

3. "EPA-registered" means the pesticide is safe.

Pesticide registration reflects a risk-benefit analysis that concludes the pluses outweigh the minuses, pluses such as economic benefit to the lawn care industry and the cosmetics of a pretty lawn. According to Public Citizen's Congress Watch, only one of the 40 most commonly-used pesticides, Metalaxyl, has been completely tested and reviewed by the EPA for long-term effects.

4. Herbicides just kill weeds; they are not pesticides.

EPA's definition of pesticide includes

fungicide, rodenticide, herbicide, and insecticide subcategories. The commonly used 2,4-D is a herbicide and, thus, a pesticide.

5. Lawn chemicals are so diluted as to be almost harmless.

Rachel Carson, in her seminal 1962 book "Silent Spring," refutes the dilution argument with extensive evidence, showing that pesticides thought to be diluted when dumped into huge bodies of water are only displaced, showing up in concentrated amounts in fish fat cells. Karr said dilution is no reassurance against long-term effect. "The state of the science gives us no threshold dose of a carcinogen required to unleash

the series of reactions which compose the mechanism of cancer."

6. Granular products are safe.

While granular products do not drift like sprays, they still harm the environment. Sabin said, "In sudden, heavy or long-awaited rainfall, granular pesticide can be washed into the sewers, which eventually come back to us in the water we drink."

7. Municipal water is tested, therefore it is safe.

Most municipal water systems treat only for bacteria, not for pesticides and other chemicals.

Pesticides Destroy More Than Insects, Weeds

Continued from page 8

Sciences, lawn use is a significant component of the total pesticide problem. NAS said that although the farmer uses pesticides more widely, the homeowner uses 10 times per acre what farmers use.

Every spring as the lawn chemical trucks start to roll, Elaine Sabin and other bird lovers receive reports of multiple bird deaths. Wildlife specialists... call bird poisoning in residential areas 'lawncare syndrome.'

Iowa State Extension Entomologist Donald Lewis said that the potential for lawn chemicals to damage the environment is just as serious as from agricultural chemicals. "When you have a tank overturn on a farmland, it may spill into the stream," said Lewis. "When a tank overturns in the city, it can spill into the storm sewer."

Integrated Pest Management

Lewis advocates an Integrated Pest Management (IPM) approach. IPM opts for least toxic pest management by substituting adapted grasses and cultural practices for chemical use. Public Citizen's Congress Watch recommends an amendment to FIFRA (Federal Insecticide Fungicide and Rodenticide Act) to require pesticide applicator training and competency in IPM.

FIFRA, Lewis says, is a "minimal set of federal guidelines which the state can make more stringent." The federal government, in Public Citizen's view, is not doing enough. In 1981, for example, the Reagan administration completely scrapped funding for

the Pesticide Incident Monitoring System (PIMS). Since then no federal agency has taken up this responsibility, leaving the collection and analysis of pesticide-induced illness to the states.

Nebraska is the only state which does not have a regulatory framework to administer FIFRA.

Regulation Report Card

Iowa is doing better than most states, according to the "Report Card" attached to Weiss' report. Each state was graded in sign posting, advance notice (of applications), consumer information, applicator certification and training, record keeping, and poison reporting.

Iowa received an A for poison reporting for requiring physicians to report pesticide poisonings. Nebraska received a C for at least having a voluntary program. Many states received an F in this category.

Iowa earned a B in its applicator certification and training program, which Lewis said requires every applicator to be certified. In order to qualify for certification, each applicator has to pass two tests administered by the Iowa Department of Agriculture and Land Stewardship.

Nebraska, on the other hand, allows non-certified applicators as long as one person in the company is certified and acts as a supervisor, although the supervisor's physical presence is *not* required.

While Iowa received a final grade of a C-, Nebraska earned an F in every category but poison reporting, and received a final F.

Iowa statutes, part of their nationally-acclaimed Groundwater Protection Act, also require posting (in both front and back lawns), 24-hour pre-notification to adjacent property owners, and product information sheets to adjacent neighbors who request them.

These laws do not, however, address pesticide over-application by homeowners. Lewis and other experts suspect that homeowners routinely exceed suggested applica-

tion rates misguidedly believing that "four times as much will make it four times better" -- all without being required to notify or post signs. Lewis said, "Once we have a data base for homeowner use, we might see tighter regulations for over-the-counter pesticides."

**According to the
National Academy of
Sciences, although the
farmer uses pesticides
more widely, the
homeowner uses 10
times per acre what
farmers use.**

Karr said that at least when homeowners buy products themselves they can see the label, but when they use a lawn service, they often have no idea about the dangers of the product.

Consumer Notification

Maryland, Massachusetts, and New York are demanding the most of lawn companies in consumer notification. They require

companies to provide a consumer information sheet listing the pesticide used, applicator's name, target pest, and date and time of application.

Lewis said such state laws signal hope within the state governments, helping to balance misleading claims often made in lawn brochures.

The New York Attorney General is suing ChemLawn, one of the industry's largest, for fraud. A ChemLawn pamphlet claims, for example, that "a child would have to swallow the amount of pesticide found in almost 10 cups of treated lawn clippings to equal the toxicity of one baby aspirin." The case, citing this claim among others, is ongoing.

Within a month, the lawn care companies will begin to flood urban mailboxes with their enticing brochures, 24-hour hotlines. Pictures of the perfect lawn.

Next month's article will discuss 1) how you can protect yourself, 2) encouraging industry trends, 3) ways to promote much-needed legislation, 4) the Integrated Pest Management approach, and 5) how organic lawn care folks do it. Said organic gardener Sabin, "The best gift you can give your family is *not* to put pesticides on your lawn."

Of the more than 200,000 political prisoners arrested in Turkey since 1980, Amnesty International reports that "virtually no one" has escaped "the horror and degradation of torture." Right now, cities such as Budapest, Prague, Bucharest, and even Moscow are safer than Istanbul and Ankara for citizens of independent mind.

Art Exhibits

by John Boyd

Antiquarium Gallery
1215 Harney Street, Omaha, 341-8077
February (call for dates) Sculpture by Jim Midlang.

Artists' Cooperative Gallery
405 So. 11th Street, Omaha, 342-9617
Hours: Wed.-Thurs. 11-5; Fri. & Sat. 11-10; Sunday noon - 5.
Feb. 3, 7 - 10 p.m., opening reception for New Members Show.
Through Feb: New Members Show.

Bellevue College Gallery
Galvin Road at Harvell Drive, Bellevue, 293-3732
Hours: 8-9:30 M-F; 9-5 Sat.; 1-5 Sun.
Through Feb 23: "Prints: by Press -- by Camera." A seven state juried show on the art of transfer.
Feb. 28: Opening for Student Show, 7-8:30 p.m.
Feb. 28 - March 30: Bellevue College Student Art Show.

Bemis New Gallery
614 So. 11th, Omaha, 341-7130
Hours: 11-5 daily.
Through Feb. 4: "Rituals," William Dick. Sculpture by Lee Boroson.
Feb. 8: Lecture Series Missouri artist Johnny Walker and Polish artists Monika Kulicka and Dariusz Lipski on "Ecology Art."
Feb. 17: 7-10 p.m. opening for "Raw."
Feb. 17 - April 1: "Raw," rough drawings from the studios of past and present Bemis resident artists.

Burkholder Project
719 P Street, Lincoln, 477-3305
Hours: 10-5 Monday thru Saturday
Through February: Richard Terrell.

Creighton Fine Arts Gallery
Creighton University
27th and California, Omaha, 280-2509
Hours: 8:30-4, Mon. - Fri.; 10-4 Saturday, noon-4 Sunday.
Through March 9: "Spirited Spaces," Michael Flecky photographs.

Gallery 72
2709 Leavenworth, Omaha, 345-3347
Through Feb. 5: Vitreographs from Littleton Studios, Spruce Pine, N.C.; Glass Sculpture from Maurine Littleton, Washington, D.C.
Feb. 9, 7:30-10 p.m., opening reception for John Nelson, a Sioux City painter.
Feb. 9 - March 3: John Nelson, new smaller works in mixed media.

Haymarket Art Gallery
119 So. 9th Street, Lincoln, 475-1061
Hours: 10-4:30 Tues.-Sat.; 1-4 Sunday. Mondays by appointment. Through Feb. 3: Artisans Work.

Hillmer Art Gallery

College of St. Mary, 1901 So. 72nd Street, Omaha, 399-2621
Hours: 1-5 daily except Friday.
Feb. 17 - March 4: Nebraska Scholastics Art Awards Contest -- statewide junior and senior high school art.

Iowa Western Community College Fine Arts Gallery
2700 College Road, Council Bluffs 325-3352
Hours: 8 a.m. - 10 p.m. Mon.-Fri.
Jan. 8 - Feb. 4: David Morrison, drawings and prints;
Feb. 5-23: Scholastic Art Awards;

Joslyn Art Museum

2200 Dodge, Omaha, 342-3300
Hours: 10-5 Tues., Wed., Fri. & Sat.; 10-9 Thurs.; 1-5 Sunday.
Admission: \$2 for adults, \$1 under 12.
Free Saturday before noon and to members.
Through Feb. 4: "Forty Years of California Assemblage."
Feb. 8: Joslyn After Hours. Tour of ConAgra's corporate art collection 5:30 p.m.
Feb. 24 - April 8: "Virtue Rewarded: Victorian Paintings from the Forbes Magazine Collection."

Museum of Nebraska Art

24th and Central Ave., Kearney (308) 234-8559
Hours: 1-5 Tuesday thru Saturday
Jan. 9 - Feb. 4: Recent Acquisitions of the Nebraska Art Collection.
Feb. 6 - Feb. 28: Kearney State College Faculty Show.

Photographer's Gallery, Inc.

4831 Dodge Street, Omaha, 551-5731
Hours: 10 a.m. - 2 p.m. Mon.-Fri.; 1-5 Sun.; Closed Sat.; or by appointment anytime.

Sheldon Memorial Art Gallery

12th and R Streets, UNL Campus, Lincoln 472-2461
Hours: Tues. & Wed. 10-5; Sun. 2-9; Thurs.-Sat. 10-5 and 7-9; closed Mon.
Current: "Of Time and the City: American Modernism from the Sheldon Memorial Art Gallery."
Through March 4: "Mothers and Daughters," an exhibition of contemporary photographs, organized by the Aperture Foundation.

13th Street Gallery

1264 So. 13th Street, Omaha
Mixed media

University of Nebraska at Omaha Gallery

62nd and Dodge Streets, Omaha 554-2686
Hours: 8-5 Monday-Friday

Art Institute of Chicago

Michigan at Adams
Chicago, Ill.
(312) 443-3600
Hours: 10:30-4:30 Mon., Wed.-Fri.; 10:30-8 Tues.; 10-5 Sat.; noon-5 Sun.
Suggested Admission: \$5; seniors, students, \$2.50.
Continuing: Ellsworth Kelly. Six paintings conceived especially for the museum's Sculpture Court.
Feb. 10 - April 1: "Yoruba: Nine Centuries of African Art and Thought."
Feb. 28 - June 25: "Designed by the Yard -- 20th Century Pattern Repeats."

Des Moines Art Center

4700 Grand Ave., Des Moines, Iowa (515) 277-4405
Hours: 11-5 T, W, F, Sat.; 11-9 Thurs.; noon-5 Sun.; closed Mon.
Feb. 17 - April 8: T.L. Solien and Mark Gordon; Print Show: A Selection from the Permanent Collection.

The Nelson-Atkins Museum of Art

4525 Oak Street, Kansas City, Mo. (816) 561-4000
Hours: 10-5 Tues.-Sat.; 1-5 Sunday. Admis-

sion: \$3 adults; \$1 students. Permanent collection free on Sat.

Through March 11: "John Ahearn."

Through Feb. 25: "Figuratively Speaking: Drawings by Seven Artists."

Peace Museum

430 W. Erie, Chicago, IL, (312) 440-1860
Hours: noon to 5 daily; noon to 8 Thursday
Current: "Everyone Has the Right to..." Art interpreting the Universal Declaration of Human Rights.
Permanent Exhibits: "The Unforgettable Fire," drawings by survivors of atomic bombings "The Ribbon," textile-art on the themes of life and hope.

Walker Gallery

Vineland Place
Minneapolis, Minn.
(612) 375-7622
(612) 375-7636 Recording
Permanent: Cowles Conservatory: Horticultural installation and "Standing Glass Fish" by Gehry.
Through Feb. 11: "Architecture Tomorrow: Todd Williams, Billie Tsien."
Feb. 18 - May 13: "Jasper Johns: Printed Symbols"

Is It Art? Ask Jesse.

by John Boyd

Beware of "Boys With Arms Akimbo." Reports are, they're headed to Omaha from California.

While the good burghers of River City won't be happy to see the "Boys," they are certainly not as toxic an import as the Bloods and the Crips.

Boys With Arms Akimbo is a band of cultural activists which has organized a poster campaign response to Jesse Helms' attempts to prohibit federal funding of "obscene or indecent" art. Helms especially questioned the artistic validity of photographer Robert Mapplethorpe's sexual and erotic images.

The theme of the Boys' campaign is "Just Sex/Sex Is," and shows primarily hands and genitalia. The posters are meant to make people examine a broader view of sexuality.

News reports indicate that the Boys are spreading their efforts from San Francisco to Orange County and New York City, with appearances planned in Atlanta and Omaha.

The "Boys" claim to represent a spectrum of sexual preference and gender, and the name was taken from a 1940s dictionary for schoolboys simply because organizers liked the graphic.

I attempted to track down a Boy in San



Area Events

by John Boyd

ART

Feb. 3

Opening of All Member Show at Artists' Coop, 7-10 p.m.

Feb. 8

Lecture Series at Bemis Gallery, 7 p.m.

Feb. 17

Bemis Gallery opening for "Raw," 7 - 10 p.m.

Feb. 28

Opening of Student Show at Bellevue College Gallery, 7-8:30 p.m.

DANCE

Feb. 23 & 24

Ballet Omaha presents "Les Patineurs," "Konservatoriet," and "Footage" at the Orpheum Theater at 8 p.m. For more information, contact Ballet Omaha at 346-7332.

SPECIAL EVENT

Feb. 2, 3 & 4

"Beauty and the Feast"

The Combined Outdoor Living Show and Food Fair at the Omaha Civic Auditorium. Admission: Adults \$4.24, Seniors \$3.25, ages 5-12 \$2, under age 5 free. Hours: 11 a.m. - 9 p.m. Friday and Saturday, 11 a.m. - 5 p.m. Sunday. Sponsored by Lutheran Medical Center. For more information call 536-6600.

FILM

Feb. 1,2,3,4,8,9 & 10

"Apartment Zero," at the Sheldon Film Theater, 12th and R on the UNL campus in Lincoln. Admission is \$4.50 for this 1988 film directed by Martin Donovan. Show times are 7 and 9:15 p.m. with matinees Saturday at 12:15 and 3; Sunday at 2:30 and 4:45. For more information call 472-5353.

Feb. 11

"38: Vienna Before the Fall," a 1988 film by Martin Donovan. At Sheldon Memorial, 12th & R, Lincoln. Tickets: \$4.50 Showings at 5, 7, & 9 p.m. UPC Foreign Films. For information: 472-5353.

Feb. 11

"Gaby, A True Story," part of the Joslyn film series, at the museum's Lecture Hall at 2 and 4:30 p.m. General admission is \$3.50. For more information: 342-3300

Feb. 22, 23 & 24

"War Requiem"

A 1989 UK film by Derek Jarman at Sheldon Memorial, 12th & R, on the UNL campus

in Lincoln. Tickets: \$4.50. Showings at 7 and 9 p.m. with matinees Saturday at 1 and 3. For more information, 472-5353.

Feb. 25

"The Sorceress," a 1987 French/USA film directed by Suzanne Schiffman. At Sheldon Memorial, 12th & R, Lincoln. Tickets: \$4.50; show times 3,5,7 & 9 p.m. Part of the UPC Foreign Films series. For information, 472-5353.

MUSIC

Feb. 3

The Omaha Symphony Chamber Series with Composer/pianist Jackson Berkey at the Orpheum Theater, 7 p.m. Ticket prices are \$9.25 to \$22.25, with discounts available. Call 342-3560 for more information.

Feb. 4

Bagels and Bach with the Ravnan Two in the Joslyn Fountain Court. General Admission: Adults \$7.50; children \$4. Concert begins at 11:15 a.m., preceded by brunch. For more information, 342-3300.

Feb. 15 and 17

The Omaha Symphony presents "From the Country" at the Orpheum Theater at 8 p.m. Tickets are \$9.25 to \$22.25, discounts available. For information, call 342-3560.

Feb. 27

The Vienna Choir Boys in concert at the Orpheum Theater. Call for ticket prices. Dick Walters Attractions 342-7107.

OPERA

Feb. 2 and 4

"Madama Butterfly," presented by Opera Omaha at the Orpheum Theater, 8 p.m. Friday and 2 p.m. Sunday. For information, call 346-0347.

THEATER

Feb. 2 through the 25th

The Center Stage presents "Colored Girls..." Friday and Saturday at 8 p.m.; Sunday at 3 p.m. Adults \$9; students/seniors \$8. The Center Stage is at 30th and Q. For information, 733-5777.

Feb. 3, 10, 17 & 24

Kids Day with "Conestoga Stories," Play, workshop, snack at the Omaha Community Playhouse, 6915 Cass. Show only, \$3; \$6 for everything. 10 a.m. or 1 p.m. Call for information, 553-0800.

Feb. 5

"Big River" touring show at the Orpheum

Theater. Call for ticket prices. Dick Walters Attractions, 342-7107.

Feb. 9 - March 17

"Mom's Motel," a new musical by Gail Erwin presented by the Circle Theater at Videlak's Cafe, 6064 Maple. Show only \$7 Monday and Thursday, \$8 Friday and Saturday; dinner & show \$12/\$13; \$2 student/senior discount. Dinner at 7 p.m., show at 8 p.m. For reservations, call 553-4715.

Feb. 12

"No, No Nanette" with Phil Ford and Mimi Hines at the Orpheum Theater. Call for ticket prices. Presented by Dick Walters Attractions, 342-7107.

Feb. 14 - 18

"Six Characters in Search of an Author," at the Creighton Performing Arts Center, 30th and Burt. Wednesday - Saturday at 8 p.m.; Sunday at 2:30. For information, 280-2636.

Through February

"The Murder Room," Jack Sharkey's mys-

tery farce at the Upstairs Dinner Theater, 221 So. 19th, 344-7777. Thursday - Saturday 6 p.m.; Wednesday and Sunday at noon.

Through Feb. 24

"The Pied Piper," a play by Adrian Mitchell, music by Dominic Mulodney, at the Omaha Community Playhouse, 6915 Cass. Tuesday-Thursay at 8 p.m.; Friday and Saturday at 8:30 p.m.; Sunday 2 and 6 p.m. For tickets call 553-0800.

Through Feb. 18

"The Snow Queen," a play by Meagan Terry at the Emmy Gifford Theater, 3504 Center. Tickets are \$7.00, call 345-4849. Fridays at 7 p.m.; Saturday and Sunday at 2 p.m.

Through February

"Run for Your Wife," a comedy about a two-timing cabbie. At the Firehouse Dinner Theater, 11th and Jackson. Show only \$12-\$18; with dinner \$20-\$24.50. Call for times and reservations, 346-8833.

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Gorbachev's Reformers Speak Out in Book

Voices of Glasnost: Interviews with Gorbachev's Reformers
 Stephen F. Cohen
 and Katrina vanden Heuvel
 W. W. Norton & Company, New York and London
 339 Pages, \$19.95
 by Carl Davidson
 Insight Features

If you've accepted the thought that the Soviet leadership is finally embracing capitalism and the American way, then Stephen Cohen and Katrina vanden Heuvel's new book, "Voices of Glasnost," will only confuse and disturb you.

But if your instincts keep telling you that something profoundly new and revolutionary is unfolding in Eastern Europe, then this timely collection of interviews will be a source of inspiration.

What the book's editors enable us to see is the deep internal causes driving the agents of change in what used to be called the "socialist camp." Their best accomplishment is the way they allow the hard core cadres of perestroika to bare their souls and speak for themselves.

Cohen and vandel Heuvel interview 14 Soviet leaders. All but one, the famous poet Yevgeny Yevtushenko, are active members of the Communist Party. One is a politburo member, four are central committee members, three are newly elected members of the Council of People's Deputies. They work as economists and scientists, actors and film makers, politicians and philosophers. All are staunch advocates of perestroika and supporters of its leader, Mikhail Gorbachev.

These 13 men and one woman are clearly among "the best and the brightest" of their generation. Most are relatively young, meaning they first became active in the mid-1950s after the death of Stalin. Without any personal guilt for the repression of earlier decades, they were all inspired by Nikita Krushchev's "secret speech" at the CPSU's 20th Congress denouncing the crimes of Stalin. In fact, they describe themselves as "the children of the 20th Congress."

"They don't have bloodstains on their consciences," said Yevtushenko. "They don't feel guilty because they aren't."

Most striking about "Voices of Glasnost" is the continuing, militant commitment of these leaders to the building of socialism. Far from coming across as cynical apologists for capitalism, they see themselves as dedicated Marxist-Leninists engaged in a do-or-die battle to rescue communism from the legacy of feudal despotism.

"Some people don't understand what perestroika is really about," says Aleksandr Bovin, a writer for Izvestia. "We are trying to create a new kind of socialism....At the risk of being accused of plagiarism, I will say

we want socialism with a human face...A system in which the people no longer thank the Communist Party and the state for what they have, but the party and the state thank the people."

The book also shows some important differences among the interviewees. But even here, the range of positions taken in the debates among them are eye-opening. On Soviet history, one end of the spectrum within their ranks sees the entire period of Stalin's rule as a despotic, bureaucratic deformation of socialism, but socialism nonetheless. The other end of the spectrum asserts that socialism was strangled in its crib by Stalin, through a violent counter-revolution against Lenin's party and all the decent things it was trying to build. What replaced it was a totalitarian police state that combined Hitler style fascism with Tsarist autocracy. But both sides agree that the task now is a second socialist revolution to restore the progressive policies and values Lenin represented in the early years of Soviet power.

Anyone familiar with the more arcane polemics in the left's history will see the parallel here with the debate between Leon Trotsky and Max Schactmann on the nature of the USSR in the late 1930s. But the Gorbachev cadres are not latter-day Trotskyists. While they completely reject Stalin's slander that Trotsky was a Nazi agent, they have their own critique of Trotsky as ultraleftist who had an over-reliance on commandism in common with Stalin. If parallels are to be drawn, then Gorbachev's camp is comprised of the continuers of Nicolai Bukharin, the last great Bolshevik leader executed by Stalin in the 1930s.

"I think the Stalinist 1930s were our Thermidor, when the socialist revolution was thwarted and Stalin carried out an anti-Leninist coup d'état," explains Tatyana Zaslavskaya, a sociologist now heading Moscow's Center for the Study of Public Opinion. "The claim that socialism was being built camouflaged the emergence of some other kind of system, maybe some kind of Asiatic despotism. Now we have to squeeze Stalinism out of ourselves drop by drop."

The perestroika insurgency, however, did not arise or flourish because of an argument about history, no matter how obsessed the Soviets are with sorting out the truth of their past. Its energies are fueled by current realities, especially by a deep economic crisis. On one hand, the old ways of rule and "planning" by bureaucratic command have led to a dead end. Growth is stagnant, innovation is stifled, infrastructure is decaying, pollution is spreading and the general health of the population is declining. On the other hand, the hunger of the Soviet masses for a decent level of livelihood and liberty is only heightened by readily made comparisons with Western Europe and a growing aware-

ness of the potential for change in their own country.

Yevgeny Velikhov, a nuclear physicist and central committee member, put it this way: "Nobody wants to live under the kind of socialism--it isn't really socialism--that we have. We want to live normally. I don't mean just from a material point of view, but so that people can use their abilities to the full. So that people don't have to speak with a forked tongue, saying one thing in private and another in public."

A key factor is the revolution in science and technology. Several interviewees bring up the promise of computers, but are frustrated by the degree of Soviet backwardness in this area. Socialism, after all, is supposed to liberate the productive forces while imperialism is supposed to fetter their development. Meanwhile, everyone knows a society that registers copiers with the police or stations soldiers at fax machines will have an exceedingly difficult time producing a new generation of computer hackers by 2000.

"The shortage of computers is humiliating to a country that prides itself on being modern," says poet Yevtushenko. The physicist Velikhov adds: "For all practical purposes, we don't have personal computers."

A weakness of "Voices of Glasnost" is its relative lack of attention to the movements among the various nationalities in the Soviet Union. No leader from the Asiatic, Turkic or Baltic peoples is among those

interviewed, even though the need for unity between the perestroika forces and the national movements is an urgent question. The editors may have reasons for this, but none are presented. Given the fact that nationalist revolts and the backlash against them may soon undermine perestroika's progress so far, the issue only assumes greater importance.

The great value of this book is the way it challenges the preconceptions of socialist and anti-socialist alike, no matter where they live. The popular writer and economist Nikolai Shmelyov leaves us with this thought:

"What do you mean by socialism? An ideal or the way our life has really been in the past? If you are talking about the past, well, it was a very, very far cry from the ideals of socialism. If you are talking about the real ideals of socialism, I don't see a fundamental conflict, only the problem of finding the optimal combination of economic efficiency and social justice.... We are not the only country to face this problem.... I feel uncomfortable saying it to you, but I've seen more miserable people in New York and Los Angeles than I have seen here. I don't mean this as a criticism of your system, only that you too have problems in sorting out ideals and realities."

Carl Davidson is managing editor of *Insight Features*. In the 1960s, he was a national secretary of Students for a Democratic Society.

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